

TFW

JUL 28 2004

PATENT &amp; TRADEMARK OFFICE



JUL 28 2004

JUL 28 2004

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/606,745	06/27/2003	Peter Gluckman	010057-058

## CONFIRMATION NO. 5345

Sharon E. Crane  
 Burns, Doane, Swecker & Mathis, L.L.P.  
 P.O. Box 1404  
 Alexandria, VA 22313-1404  
 07/29/2004 CNGUYEN 00000052 10606745

01 FC:1004 770.00 OP  
 02 FC:1051 130.00 OP  
 03 FC:1204 258.00 OP  
 04 FC:1205 504.00 OP

Date Mailed: 04/01/2004

## FORMALITIES LETTER



\*OC000000012253901\*

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

*Filing Date Granted*

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Consent of assignee is missing. 37 CFR 1.172 requires that a reissue oath/declaration be accompanied by the written consent of all assignees.
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$762** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1662** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$762**
  - **\$258** for **3** independent claims over the original patent.
  - **\$504** for **28** total claims over the higher of 20, or the amount in the original patent.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

*Matthew R. Hansen*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent  
Attorney Docket No. 010057-058

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Peter Gluckman et al.

Application No.: 10/606,745

Filing Date: June 27, 2003

## Title: IFG-1 TO IMPROVE NEURAL OUTCOME

Group Art Unit: 1653

Examiner: Unassigned

Confirmation No.: 5345

## TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

## MAIL STOP MISSING PARTS

## Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In complete response to the Notice to File Missing Parts of Application filed Under 37 C.F.R. § 1.53(b) dated April 1, 2004, enclosed please find:

- a Combined Declaration and Power of Attorney signed by the inventor(s);
  - Note that the inventor/inventors identified on the concurrently filed Combined Declaration and Power of Attorney is/are different than listed on the application filing papers.
- an Application Data Sheet;
- the surcharge of  \$65.00 (2051)  \$130.00 (1051) as set forth in 37 C.F.R. § 1.16(e);
- a Request for Refund;
- a Petition for Extension of Time;
- a verified English translation of the Application, and the \$130.00 (1053) fee as set forth in 37 C.F.R. § 1.17(k);
- an Assignment document and a separate check for the \$40.00 (8021) Assignment recordation fee;
- drawings for publication;
- IDS;
- a certified copy of the priority document; and
- other Copy of Notice to File Missing Parts of Reissue Application;  
Two (2) Reissue Application Declarations by the Inventors;  
Filing fee of \$1,532.00 (which includes basic filing fee and additional claim fees); and  
Two (2) Assignment documents and a separate check for the \$80.00 (8021) Assignment recordation

A check in the amount of \$ 1,662.00 for the fee due for missing parts is enclosed.

Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.

Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

Small entity status is hereby claimed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: July 28, 2004

By

Sharon E. Crane  
Sharon E. Crane, Ph.D.  
Registration No. 36,113  
by RD Huntington  
Reg. No. 27,903